

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JO ANN HOWARD AND ASSOCIATES, P.C.,	)	
SPECIAL DEPUTY RECEIVER OF LINCOLN	)	
MEMORIAL LIFE INSURANCE COMPANY,	)	
MEMORIAL SERVICE LIFE INSURANCE	)	
COMPANY, AND NATIONAL	)	
PREARRANGED SERVICES, INC.; ET AL.,	)	
	)	
Plaintiffs,	)	Case No. 09-CV-1252-ERW
v.	)	
	)	
J. DOUGLAS CASSITY; RANDALL K.	)	
SUTTON; BRENT D. CASSITY; J. TYLER	)	
CASSITY; RHONDA L. CASSITY; ET AL.,	)	
	)	
Defendants.	)	

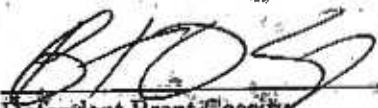
**STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE  
OF COMPLAINT AGAINST DEFENDANT BRENT CASSITY**

Plaintiffs and Defendant Brent Cassity ("Cassity") under Fed. R. Civ. P. 41(a)(2), request an Order of the Court approving dismissal with prejudice of Plaintiffs' claims against Cassity, as contained in Plaintiffs' Third Amended Complaint.

1. Plaintiffs and Cassity stipulate and agree to this dismissal with prejudice.
2. There are no pending counterclaims or motions for summary judgment filed by Cassity.
3. Plaintiffs' dismissal with prejudice against Cassity shall not affect Plaintiffs' claims contained in Plaintiffs' Third Amended Complaint against the remaining defendants.

**DEFENDANT BRENT CASSITY'S  
CONSENT TO DISMISSAL WITH PREJUDICE**

Defendant Brent Cassity consents to, and requests the Court to enter an order, granting this stipulated dismissal with prejudice.

  
Defendant Brent Cassity

Dated this 13th day of December, 2014.

Respectfully submitted,

/s/ Wendy B. Fisher

Daniel M. Reilly (Admitted *Pro Hac Vice*)  
Larry S. Pozner, E.D. Missouri Bar No. 279200  
Wendy B. Fisher (Admitted *Pro Hac Vice*)  
Glenn E. Roper (Admitted *Pro Hac Vice*)  
Clare S. Pennington (Admitted *Pro Hac Vice*)  
Farrell A. Carfield (Admitted *Pro Hac Vice*)  
Lauren G. Jaekel (Admitted *Pro Hac Vice*)  
Sean Connolly (Admitted *Pro Hac Vice*)  
Michael P. Robertson (Admitted *Pro Hac Vice*)  
Michael T. Kotlarczyk (Admitted *Pro Hac Vice*)  
Dru R. Nielsen (Admitted *Pro Hac Vice*)  
Ashley D. Morgan (Admitted *Pro Hac Vice*)

Reilly Pozner LLP  
1900 16th Street, Suite 1700  
Denver, CO 80202  
(303) 893-6100

and

**DEFENDANT BRENT CASSITY'S  
CONSENT TO DISMISSAL WITH PREJUDICE**

Defendant Brent Cassity consents to, and requests the Court to enter an order, granting this stipulated dismissal with prejudice.

\_\_\_\_\_  
Defendant Brent Cassity

Dated this 15th day of December, 2014.

Respectfully submitted,

\_\_\_\_\_  
*s/ Wendy B. Fisher*  
Daniel M. Reilly (Admitted *Pro Hac Vice*)  
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Attorneys for Plaintiffs Jo Ann Howard and Associates,  
P.C., in its capacity as Special Deputy Receiver of Lincoln  
Memorial Life Insurance Company, Memorial Service Life  
Insurance Company, and National Prearranged Services,  
Inc.; the National Organization of Life and Health  
Insurance Guaranty Associations; the Missouri Life &  
Health Insurance Guaranty Association; the Texas Life &  
Health Insurance Guaranty Association; the Illinois Life &  
Health Insurance Guaranty Association; the Kansas Life &  
Health Insurance Guaranty Association; Oklahoma Life &  
Health Insurance Guaranty Association; the Kentucky Life  
& Health Insurance Guaranty Association; and the  
Arkansas Life & Health Insurance Guaranty Association

**CERTIFICATE OF SERVICE**

I hereby certify that on December 15, 2014, the foregoing **STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE OF COMPLAINT AGAINST DEFENDANT BRENT CASSITY** was filed electronically with the Clerk of Court and served by operation of the Court's electronic filing system upon all counsel of record in this case participating in Electronic Case Filing.

I hereby further certify that on December 15, 2014, the foregoing was sent by United States Postal Service or by electronic means, as indicated below, to the following non-participants in Electronic Case Filing:

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s/ Wendy B. Fisher

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